



At the regular Assembly of the TMBNJDENNVI JUQBBSF BBTBJBLT Congregation of Jamaa at San Jose, California in January of 2015, a Decision was made that all the documents of the congregation be harmonized with the documents of the Islamic Community of North American Bosniaks therefore from January of 20 following Bylaws are in force:

## **BY-LAW OF THE ISLAMIC COMMUNITY OF BAY AREA BOSNIAKS**

### **1. NAME**

#### **Article 1**

The work of the Jamaats that are part of the Islamic Community of North American Bosniaks and thus are also part of the Islamic Community in Bosnia and Herzegovina shall be regulated by these Rules of Procedure.

### **2. COMPETENCE**

#### **Article 2**

These Rules of Procedure shall be competent for all the Jamaats within the Islamic Community of North American Bosniaks. The Jamaats shall, if necessary, adjust their Statutes and regulations with these Rules of Procedure.

### **3. OBJECTIVES AND PURPOSES**

#### **Article 3**

The objective of the Jamaat is that all its members live in accordance with Islamic norms. The objective of the Jamaat shall be achieved by promoting good and preventing evil.

The purpose of the Jamaat shall include the following:

- To perform and carry out all religious duties in accordance with the Islamic Law, the Shari'ah,
- To take care of the Islamic education and upbringing of its members, and to strive to preserve the values of marriage and family life,
- To take care of the religious rights of Muslims and, according to its capabilities, to provide the necessary conditions for its members for performing religious duties,
- To organize activities through which it shall acquire, protect and augment the property of the Islamic Community,
- To cooperate and exchange experiences with other Islamic communities,
- To live with other religious communities,
- To strive to preserve the culture, language and tradition of Bosniaks in accordance with its abilities.

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#### **4. WORK AND WORK PERMIT**

##### **Article 4**

The work of the Jamaats shall be performed by application of the US Constitution on democratic institutions. The work of the Jamaats shall be based on the registration permit issued by the competent authority in accordance with the Article of the general non-profitable organizations.

#### **5. ORGANIZATION**

##### **Article 5**

The structure of the Jamaat, according to the structure of the Islamic Community and as well as all its activities shall be based on the Qur'an Kareem and the Sunnah of the Prophet Muhammed (p.b.u.h), the Islamic tradition of Bosniaks and the requirements of the times.

Activities in the Jamaat shall be subject to the principles of legality and publicity, and the management duties shall be subject to the Islamic Community.

#### **6. THE JAMAAT**

##### **Article 6**

The Jamaat is a basic organizational unit of the Islamic Community.

Decisions on establishment of the Jamaats shall take the Riyasat of Bosnia and Herzegovina upon the proposal of the Chief Imam for North America, and at the request of the Initiative Committee of the future Jamaat.

The Jamaat consists of at least 100 Muslim households who live in one area and are connected to each other in performing of the common Islamic duties or less households that are able to maintain themselves. The organs of the Jamaat are the Jamaat Assembly and the Jamaat Board.

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#### **7. THE JAMAAT ASSEMBLY**

##### **Article 7**



The Jamaat Assembly consists of all Bosniak Muslims of the Jamaat, who are members of the Islamic Community and regularly pay their membership fees and those who have reached the age of 18, and therewith one family shall represent only one vote.

The Jamaat Assembly shall elect: the Jamat Board, the representatives of the Jamaat in the Majlis Assembly, the members of the Islamic Community of North American Bosniaks in front of the Jamaat, and shall take more important decisions concerning the organization of the Jamaat and religious life in the Jamaat.

The President of the Jamaat Board shall call a meeting of the Jamaat upon the proposal of the Jamaat Board, in written form or by calling the members of the Jamaat.

The invitation shall include time, place and date of holding of the meeting. The invitation must be sent at least 21 days before the meeting.

A quorum shall consist of 10% of the present of the total number of members of the Jamaat. If there is not a quorum, the meeting shall be postponed for two weeks despite the quorum.

A regular reporting meeting shall be held every year, and an electoral meeting every second year. A special meeting of the Jamaat shall be held if necessary or due to extraordinary circumstances.

## **8. THE JAMAAT BOARD**

### **Article 8**

The Jamaat Board consists of 5 to 9 members including the Imam who is a member of the Board ex officio. The Jamaat Board shall provide the conditions for religious life in the Jamaat. The members of the Jamaat Board shall have equal voting rights.

The Jamaat Board shall take decision within its competence, and after being adopted and signed by the Secretary and the President they shall be entered into a special book of decisions.

The Imam shall have the right to veto any decision which is in contradiction with the Islamic teaching.

Method of work of the Jamaat Board shall be determined by the rule of majority voting, complying with decisions of the Riyasat of the Islamic Community in Bosnia and Herzegovina and adjusting with the By-laws of the Islamic Community of North American Bosniaks and the Constitution of the Islamic Community in Bosnia and Herzegovina.

The elected Board shall perform its duty after mandate expires until re-election, in other words the constitution of the new Board.

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## **9. MEETINGS OF THE JAMAAT BOARD**

### **Article 9**

The President of the Jamaat Board shall call regular and special meetings of the Jamaat Board.

Each member of the Jamaat Board shall attend the meeting at the invitation of the Secretary or the President of the Jamaat Board.

In urgent cases the meeting of the Jamaat Board can be arranged by telephone. Decisions in the Jamaat Board shall be taken by majority of votes.

The newly elected candidate shall take the following oath in front of witnesses : " I (name and surname) solemnly swear that I shall serve to the faith of Islam and I will do everything in my powers to forward purposes, the aims and the best interests of this Jamaat while being a member of this Jamaat. So help me God."

## **10. REVOCATION OF A MEMBER OF THE JAMAAT BOARD**

### **Article 10**

In case that any member does not perform his duties in the Jamaat, or with his work damages the reputation the Jamaat he may be dismissed by two-third majority of members of the Jamaat Board.

A member of the Jamaat Board shall be removed or dismissed if the following is established:

- His conduct and actions are contrary to Islamic norms,
- He is contravening the regulations and decisions of the organs of the Jamaat,
- He is not performing the duties of the post to which he was elected,
- He is abusing his post,
- He is incapable to perform his duties,
- He fails to attend the meeting of the Jamaat Board three times unjustified.

## **11. FUNCTIONS IN THE JAMAAT BOARD**

### **Article 11**

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**ISLAMIC COMMUNITY IN BOSNIA AND HERZEGOVINA**  
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Functions in the Jamaat Board: a President, Vice president, Secretary and Treasurer.

Functions in the Jamaat Board may perform only members who speak Bosnian and English and who have a basic knowledge of computer skills.

Functions in the Jamaat Board shall be for a period of two years from the date of the election at the electoral session of the Jamaat, except the Imam whose mandate shall be determined by a special agreement.

Any person elected to the function may be removed from the office under the above conditions, and shall be responsible for his work to the Jamaat Board.

The President of the Jamaat Board shall be elected by a majority vote of the Jamaat Board for two years and shall have the right to re-election to the office.

The President of the Jamaat Board shall preside and call meetings and sessions of the Jamaat Board.

In case of illness, absence or resignation of the President of the Jamaat Board, he shall be replaced by the Vice President of the Jamaat Board.

The Secretary shall take minutes of meetings, keep records and affix the seal of the Jamaat to all documents.

The Secretary shall send notices to the members of the Jamaat Board and the members of the Jamaat, call the meetings of the Jamaat Board, call sessions, keep records and performs all activities relating to the secretariat.

The Treasurer shall perform all inward and outward payments as required by the Jamaat Board, and in accordance with the regulations that are in force in this country.

The Treasurer shall all collected funds of the Jamaat deposit to the account of the Jamaat, submit report of three months to the Jamaat Board, show all revenues and disbursement which the Jamaat had and generally all duties that are related to the treasury.

**12. THE IMAM**

**Article 12**

The Imam shall organize religious life in the Jamaat and maintain public relations concerning religious activities.

The Imam shall be able to speak English and Bosnian. At the instance of the Jamaat Board the Imam shall be appointed, transferred and dismissed by the Raisu-l-ulama upon the proposal of the Chief Imam.

The Imam shall be responsible for his work to the Jamaat Board and the Chief Imam.

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The Imam and the Jamaat Board shall sign a contract of employment, which regulates the mutual rights and duties, period of operation of contract and it shall be on the basis of decree of the Riyasat of the Islamic Community of Bosnia and Herzegovina, which shall allow the respective Imam to perform the Imam duties.

The Jamaat Board shall analyze the effect and operation of the Imam once a year in accordance with these Rules of Procedures.

The Imam may be a person who shall receive the decree of the Raisu-l-ulama in Bosnia and Herzegovina.

Priority for appointment as Imam in Diaspora shall have the Imams with the previous experience of at least 2 (two) years of performing the work of Imam.

### **13. ELECTIONS**

#### **Article 13**

Elections in the Islamic Community are held by secret ballot among more candidates. Candidates for the Jamaat Board shall be prominent and respected members of the Jamaat.

The electoral commission shall be bound to reject the candidacy of any person who does not fulfil the conditions for election to the organs of the Jamaat, or the Jamaat Board.

Active and passive voting right in the Jamaat shall have every member who has reached the age of 18, and who performs his/her duties in the Jamaat and he/she shall have one vote in front of his family.

### **14. PASSIVE VOTING RIGHT**

#### **Article 14**

Each meritorious and exemplary member of the Jamaat may be elected in the Jamaat Board in accordance with the Shari'ah regulations, under the following conditions:

- if he is a regular member of at least 3 (three) years without discountenance.
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- if he is known for his dedication to the Jamaat, as the person who is willing to put his time and knowledge at the Jamaat's disposal .
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- if he abstains from big sins: alcohol, lust, gambling and shirk.
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- if he has a basic knowledge of the Islamic rules and if he practices Islam daily.
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## **15. MEMBERSHIP AND MEMBERSHIP FEES**

### **Article 15**

Every Muslim on a designed territory of the Jamaat who has reached the age of eighteen may be a member of the Jamaat.

The Secretary shall keep a record of membership in the Jamaat.

The amount of the membership fees shall be determined and changed if necessary at the meeting of the Jamaat, and upon the proposal of the Jamaat Board.

All members of one family shall be considered as members of the Jamaat, if one family member is a member of the Jamaat.

The family shall include married couples with children up to entry into marriage of their children.

When entering into marriage, the newly formed family shall be bound to become a member no matter whether it lives separately or not.

Any person, who wants, may become a member, if he/she has reached the age of 18.

All categories of social cases as well as retired people shall pay their membership fees in a special amount that shall be determined at the meeting of the Jamaat.

## **16. TERMINATION OF MEMBERSHIP**

### **Article 16**

If a member of the community has not paid the membership fees for a period of 6 (six) months, he/she shall be notified in writing about it, and after non-payment of wazifa for the next 6 ( six) months he shall cease to be a member of the Jamaat.

If someone refuses to pay fees without reason, he/she shall not receive the services of an Imam, or in the event of death shall not be buried in the place where the members of the Jamaat shall be buried until in his/her name the debts are settled to the Jamaat.

Any services of the Imam or the Jamaat for persons or families who are not members of the Jamaat shall bring a certain financial commitments to the Jamaat and the amount shall be specified at the meeting upon the proposal of the Jamaat Board.

## **CHECK, DRAFTS, DEPOSITS**

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**Article 17**

All checks, drafts or other orders for the payment of money, evidences issued in the name of the Jamaat shall be signed by the Treasurer or some other person authorized by the Jamaat Board.

All funds of the Jamaat shall be deposited within 48 (forty-eight) hours to the account of the Jamaat, in bank.

**18. BOOKS AND RECORDS**

**Article 18**

The community shall keep correct and complete books and minutes of proceedings of the community as well as the general information about members, the Jamaat Board, and a record giving the names and addresses of the members entitled to vote.

All books and records of the community may be inspected by the Jamaat Board or its Committee.

**19. FISCAL YEAR/ BUDGET YEAR**

**Article 19**

The fiscal year shall begin the first day of January and end on the last day of December in each year.

At the end of each year financial statement shall be drawn up that shall be adopted at the session of the Jamaat.

**SEAL OF THE COMMUNITY AND SUPPLY**

**Article 20**

The Jamaat Board shall take care of procurement of seals of the Jamaat which shall contain the name of the Jamaat.

The Jamaat Board shall deal with the procurement of other material resources for the needs of the Jamaat.

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**CLOSURE AND TERMINATION**

**Article 21**

In case that the Islamic center and its activities lose their purpose and do not help in achieving the stated goals and objectives, the center and its activities are to be terminated.

All the assets shall become the property/Waqf of the Islamic Community of North American Bosniaks.

**VALIDITY**

**Article 22**

The Rules of Procedures shall take effect upon the adoption, on 29. March 2015 upon the adoption by the Council of the Islamic Community by a majority vote of those present in Atlanta, Georgia

These Rules of Procedures may be altered or amended only at a regular session of the Council of the Islamic Community.

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President

*Senad Osmanovic*  
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